

# COVINGTON & BURLING LLP

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June 12, 2014

## By FOIAonline

Freedom of Information Officer  
U.S. EPA, Region 2

**Re: *Freedom of Information Act Request: Liberty Industrial  
Finishing Site (EPA Registry ID 110022860983; EPA ID No.  
NYD000337295; NYSDEC Site Code 130005)***

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, I write on behalf of Covington & Burling LLP's clients, Northrop Grumman Corporation and Northrop Grumman Systems Corporation (together, "Northrop Grumman"), to request the following records in the possession, custody, or control of the U.S. Environmental Protection Agency ("EPA").

For the purposes of this request, we provide the following definitions:

- "Record" has the same meaning prescribed in 5 U.S.C. § 552(f)(2) and includes, but is not limited to, all email communications to or from any individual within the EPA, memoranda, interagency communications, sound recordings, tape records, video or film records, photographs, notes, notebooks, indexes, jottings, message slips, letters, telexes, telegrams, facsimile transmissions, statements, policies, manuals or binders, books, handbooks, business records, personnel records, ledgers, notices, warnings, affidavits, declarations under penalty of perjury, unsworn statements, reports, or diaries or calendars, regardless of whether they are handwritten, printed, typed, mechanically or electronically recoded or reproduced on any medium capable of conveying an image.
- "Communication" means any transmission of information by one or more persons or between two or more persons, including (without limitation) telephone conversations, letters, telegrams, teletypes, telexes, telecopies, electronic mail, other computer linkups, written memoranda, and face-to-face conversations.
- "Liberty Industrial Finishing Site" means the Liberty Industrial Finishing site located at 55 Motor Parkway, Farmingdale, NY 11735, in Nassau County, NY, and identified by the EPA with registry ID 110022860983 and ID number NYD000337295, among other numbers, and by NYSDEC with the Site Code 130005.

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We hereby request the following records:

- (1) All records concerning the Liberty Industrial Finishing Site, including but not limited to (i) information pertaining to the discovery, source, nature, and extent of environmental contamination; (ii) environmental studies, remedial actions, and their associated costs; (iii) communications among potentially responsible parties, regulatory agencies, and governments; and (iv) the site's regulatory history, including enforcement, notice of violations, and permitting.
- (2) All records concerning the Liberty Industrial Finishing Site that have been or will be produced or otherwise made available for review to:
  - (a) Travelers Indemnity Company;
  - (b) Travelers Indemnity Company of Connecticut, formerly known as Travelers Indemnity Company of Rhode Island;
  - (c) Travelers Casualty and Surety Company, formerly known as Aetna Casualty and Surety Company; and
  - (d) Travelers Property Casualty Company of America, formerly known as Travelers Indemnity Company of Illinois (collectively, "Travelers").
- (3) All records concerning the Liberty Industrial Finishing Site that have been or will be produced or otherwise made available for review to:
  - (a) Century Indemnity Company;
  - (b) Indemnity Insurance Company of North America;
  - (c) Insurance Company of North America; and
  - (d) Resolute Management, Inc. (collectively, "Century").
- (4) All records concerning the Liberty Industrial Finishing Site that have been or will be produced or otherwise made available for review to Vertex Companies, Inc. ("Vertex").
- (5) A copy of all requests made by Travelers, Century, and Vertex as described in paragraphs (2), (3), and (4) above.
- (6) All communications between the EPA and Travelers, Century, or Vertex concerning the Liberty Industrial Finishing Site, and all records concerning such communications.

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- (7) With respect to any future or further requests for records made by Travelers, Century, or Vertex, or any person on behalf of Travelers, Century, or Vertex, regarding the Liberty Industrial Finishing Site, we request that all records provided or otherwise made available in response thereto be simultaneously produced to us.

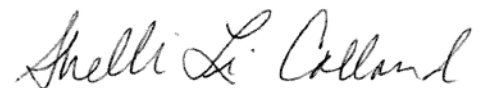
Pursuant to 5 U.S.C. §§ 552(a)(3)(B)-(C), we request that the relevant records be provided electronically, preferably by CD or DVD, and sent to my attention at the offices of Covington & Burling LLP (1201 Pennsylvania Avenue, N.W., Washington, DC 20004) by overnight courier. If some of the records are available before others, please provide them as they become available. If records are not available in electronic form, please provide the requested information in hard copy.

We agree to pay the postage and any other charges related to the retrieval and copying of the requested records up to \$10,000. If the fees exceed \$10,000, we request the opportunity to inspect the records before agreeing to pay the fees.

A FOIA request similar to this one was previously submitted in July 2012 and designated as Request No. 02-FOI-01197-12. FOIA Specialist Wanda Calderon, Remedial Project Manager Lorenzo Thantu, and Assistant Regional Counsel Michael Mintzer provided responses to that request before it was suspended. We would appreciate it if Ms. Calderon, Mr. Thantu, and Mr. Mintzer continued to work on this FOIA request.

Please do not hesitate to contact us if we can be of any assistance in fulfilling this request. Pursuant to 5 U.S.C. § 552(a)(6)(A), we look forward to your response within the next twenty business days.

Sincerely,

A handwritten signature in cursive script that reads "Shelli L. Calland".

Shelli L. Calland